



DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE WEST
33000 NIXIE WAY, BLDG 50 Suite 207
SAN DIEGO, CA 92147

5720
Ser BPMOW.els/387
November 28, 2018

Mr. Jeff Ruch
Executive Director
Public Employees for Environmental Responsibility
962 Wayne Avenue, Suite 610
Silver Spring, MD 20910

Dear Mr. Ruch:

This responds to your Freedom of Information Act (FOIA) request of October 23, 2018 in which you requested:

- Complete copies of the latest PFAS sampling reports issued by the Navy for Navy Base Realignment and Closure (BRAC) sites in California;
- All correspondence between the Navy BRAC program and public and private water districts and regional Water Boards related to PFAS sampling reports for BRAC sites former Marine Corps Air Station Tustin and former Marine Corps Air Station El Toro for the period January 1, 2014 to present; and
- Decision documents regarding the Navy's determination not to delineate PFAS plumes at former Marine Corps Air Station Tustin and former Marine Corps Air Station El Toro.

Your request was received by this office on October 30, 2018 and assigned Case File Number DON-NAVY-2019-000699.

Despite diligent efforts, we are unable to provide you a final determination on your request within the 20 working-day statutory time frame established by the FOIA because of the need to consult with another naval activity or another agency which has substantial subject-matter interest in the release determination of identified responsive records.

The processing of your request is continuing and is expected to be completed by **January 30, 2019**.

In view of the above, you may consider this to be an adverse determination that may be appealed. If you have created an account in FOIA ONLINE, you may submit an appeal directly within the web-based system. To do this, you would log in to your account, retrieve your original request, and then click on the "Create Appeal" tab in the left-hand column. The basic information from your request will be duplicated for you, and then you can type in the basis of your appeal. If you prefer to use regular mail, you may submit an appeal to:

The Department of the Navy
Office of the General Counsel (ATTN: FOIA APPEALS)
1000 Navy Pentagon, Room 5A532
Washington, DC 20350-1000

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Your appeal, if any, must be postmarked within 60 calendar days from the date of this letter and should include a copy of your initial request, a copy of this letter, and a statement indicating why you believe your appeal should be granted.

You may modify your request to allow this agency to complete its processing in an alternative time frame. To discuss this option or for any further assistance regarding any aspect of your request, you have the right to contact the Department of the Navy FOIA Public Liaison, Mr. Christopher Julka, at Christopher.A.Julka@navy.mil or (703) 697-0031. Additionally, you have the right to contact the Office of Government Information Services (OGIS) to inquire about the FOIA mediation services they offer. The contact information for OGIS is: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-01, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Should you agree to await a substantive response, your right to appeal any denial of information, in whole or in part, will not be prejudiced. In the event of a partial or total denial, you will be afforded 60 calendar days from the date of denial in which to appeal.

Any questions concerning this matter should be directed to Mr. Alan Lee who may be contacted at alan.k.lee@navy.mil or at 619-524-5256.

Sincerely,



ANTHONY MEGLIOLA
Director
Acting